

REGULAR MEETING
April 26, 2011

A Regular Meeting of the Mayor and Board of Aldermen of the City of Natchez, Mississippi, was held in the City Council Chamber at 6:00 p.m. on Tuesday, April 26, 2011. Mayor Jake Middleton presided at the meeting, which was opened with prayer by Bishop T.C. McBeth.

MAYOR & BOARD PRESENT	ELECTED OFFICIALS ABSENT	CITY OFFICIALS & DEPARTMENT HEADS
John ‘Jake’ Middleton Mayor	Donnie Holloway, City Clerk	Temple Hendricks, Mayor’s Secretary Diane Holland, Deputy City Clerk Everett Sanders, City Attorney Sabrena Bartley, Senior Center Oliver Stewart, Fire Chief Salena Edwards, Recreation Natchez Democrat
Joyce Arceneaux-Mathis Alderwoman, Ward 1		
J. “Ricky” Gray, Jr. Alderman, Ward 2		
Bob Pollard Alderman, Ward 3		
Ernest “Tony” Fields Alderman, Ward 4		
Mark Fortenbery Alderman, Ward 5		
Daniel Dillard Alderman, Ward 6		

MINUTES APPROVED

A motion was made by Alderman Pollard to dispense with the reading of the minutes of the Regular and Finance Meetings of April 26, 2011 and adopt the minutes as presented. The motion was seconded by Alderman Fortenbery. The motion carried with Alderman Dillard opposing.

Alderman Fields made a motion to go out of regular order to conduct a public hearing. Seconded by Alderwoman Arceneaux-Mathis. The motion carried unanimously.

PUBLIC HEARING

Mr. Nix said that this public hearing regarding Adjudication of lots for nuisance determination and cleaning authorization. He added that the locations are 6 Perrault Street; 25 St. Catherine Street; 109 East Oak Street (a/k/a Woods Street); 253 Lower Woodville Road; 815 N. Dr. Martin Luther King, Jr. Street; 1024 N. Dr. Martin Luther King, Jr. Street; 1124 N. Dr. Martin Luther King, Jr. Street; 1133 N. Dr. Martin Luther King; 1320 Col John Quitman Parkway (a/k/a: Arlington).

Mr. Nix stated that during their review of repeat violation lot maintenance properties, the staff identified the above ten addresses as not in compliance with the lot maintenance requirements of the adopted city codes. Notices were sent to the property owners and the properties were posted as required by state law. He further indicated that Follow-up inspections showed that of the notices to approximately 50 property owners, the violations were not corrected on the ten properties named herein. Staff recommends that the Board of Aldermen declare these properties to be public nuisances, and adopt the Resolutions ordering the staff to clear the nuisance properties, establishing fees as authorized by law, and authorizing the staff to collect all costs and fees as permitted by state law.

Mayor Middleton asked if there was anyone that wanted to speak in regard to the mentioned properties.

Hayden Petkovsek, of 614 North Wall Street stated that he is in partnership with the owners of the two houses on 25 St. Catherine. He indicated that he cleans the property but individuals from Fleming's continue to throw debris on the property. He added that he doesn't know what to do at this point.

Mr. Nix said dumping on someone else's property is a misdemeanor but the dumping has to be witnessed by an officer. He advised Mr. Petkovsek to get with Mrs. Anita Smith tomorrow to see if any of the dumping has an identification that is belongs to Fleming.

Alderman Arceneaux-Mathis made a motion to go back into regular session. Seconded by Alderman Fields. The motion carried unanimously.

Alderman Arceneaux-Mathis made a motion to declare all of the properties listed as locations in the Staff Memorandum as properties harboring nuisance conditions that violate the Mississippi Code of 1972, and to adopt the Resolutions recommended by the staff with the amendment from Alderman Fields for an exception of the 30 day extension for 25 St. Catherine Street. Seconded by Alderman Fields. The motion carried unanimously.

VISITORS WELCOMED

Kathleen Jenkins

Forks of the Road Slave Market Status Report April 2011

1. National Park Service Boundary Adjustment Study. Completed 2010. Site does meet criteria to be added to Natchez National Historical Park.
2. Superintendent of Natchez NHP has submitted legislative package request for Congress to authorize land acquisition at the site.
3. City lands at Forks of the Road to be acquired by donation:
 - a. Parcels purchased by City on Liberty Road between Franklin & St. Catherine streets already pledged to NPS

- b. NPS requests consideration for City donation of additional Parcel at corner of St. Catherine Street and Junkin Street extension.
4. Other lands to be acquired by NPS purchase from willing sellers as authorized by Congress.
5. NPS has contacted Mississippi Development Authority for confirmation that \$500,000 in Development Infrastructure Program (DIP) funded by bonds is still available to City of Natchez for Forks of the Road development – awaiting that confirmation.
6. The conceptual designs for the use of these funds will be developed in a 2-day design charrette tentatively planned for May that will be funded by the NPS and the Historic Natchez Foundation. Chadbourne & Associates of Boston will lead the charrette, which will likely involve a very small working group with possible participation from these entities:
 - a. The Friends of the Forks of the Road Society
 - b. The City of Natchez
 - c. The Historic Natchez Foundation
 - d. The National Park Service (including representatives who have developed other African American themed sites)
 - e. Adams County
 - f. Tulane Regional Urban Design Center
 - g. The Mississippi Development Authority
7. Based on the outcome of this design charrette, funding from Phase II of the Natchez Trails will be used to create specific project drawings required by MDA prior to release of the DIP funds.

UNFINISHED BUSINESS

Alderman Dillard stated that the Roth Hill second amendment to the original agreement is a one-sided agreement that the developer has the upper hand. He added that the questions that come to his mind are: What are we offering the developer? What are we extending? He further stated that on June 1, 2009 the lease for the Roth Hill Road site commenced. He added that the administration never brought it to the board to let the board know. He further added that if this board agrees to this addendum, and then they are reaffirming the developer's argument that it has a 99 year lease on the property.

Alderman Dillard stated "Fool me once, shame on you. Fool me twice, shame on me." He added that he strongly urges this board that this is not a good agreement; you have an opportunity that has too much ambiguity about it. He further added that the most prudent thing to do would be to file this with the

Chancery Court judge for declaratory judgment as to the legality of it and whether or not we have a lease. He encouraged the board not to approve the amendment.

Alderwoman Arceneaux-Mathis asked Attorney Sanders what can we make a decision on tonight in terms of Roth Hill Road.

Attorney Sanders stated that what is before the board is allowing them a 90 day (3 month) extension for \$50,000 and possibly another 90 day (3 month) extension for \$50,000.

Alderwoman Arceneaux-Mathis made a motion to approve the second amendment to the option lease development agreement between the City of Natchez and Natchez Enterprise. Seconded by Alderman Pollard.

Alderman Dillard asked Attorney Sanders for the record did Natchez Enterprise have a lease that commenced on June 1st 2009,

Attorney Sanders stated that they had a lease that commenced, but defaulted when they did not perform within the time period.

Alderman Dillard stated that after four years with no progress, when are they in default. He added that if we are have problems with them now and their progress, wait until we start trying to collect our money from them.

Alderwoman Arceneaux-Mathis stated that when we started this deal and sent out a request for proposals. They narrowed it down to two groups, the Lane group and the Natchez Riverfront Development group. The Natchez Riverfront Development group pledged \$100 million came into the city and described that they wanted to bring in a boat, put shops, restaurants, and venues down at the Roth Hill site. She added all of them were given a DVD of what all they wanted to do with the land under the hill. The board decided 4 to 2 to take a 40 million investment in leau of the \$100 million dollar investment. Democracy on the board was a 4 to 2 vote. Since that time there has been Hurricane Katrina and Hurricane Gustav, the board thought that New Orleans citizens would come to Natchez wanting to build and invest here, however they didn't come.

Alderwoman Arceneaux-Mathis stated that she did not vote for them in the beginning, but she will work with them up until a point. And as one Alderman whose Ward the boat is in she will give them 90 days.

Alderman Fields stated that he does not think that now is the time to cut the ties. He added that he wants to see it happen.

The motion carried with Alderman Gray and Alderman Dillard opposing.

DEPARTMENT HEAD REPORTS

Darrell White - NAPAC

Mr. White stated that April 27th will mark the 178th anniversary of the establishment of America's domestic slave market at the Forks of the Road. He added that he would like to invite everyone out Saturday afternoon for the unveiling of the fourth Mississippi Blues Trail marker.

CITY OFFICIALS' REPORT

ALDERMAN FIELDS – WARD 4

Alderman Fields stated that the inauguration activities and service for Dr. Brown was huge success. He expressed his thanks for them including Natchez in their celebration.

Alderman Fields stated that the Rhythm Night Club commemorations by Natchez Business and Civic League and the Sagos. He added that Bishop Cade was the speaker for the Natchez Business and Civic League and Jennifer Odgen was the speaker for the Rhythm Night Club Museum.

Alderman Field stated that they had a productive meeting concerning recreation. He added that what he saw from the meeting is that we still need public input.

Alderman Field discussed his concerns with the hump on Main Street and easement issues in 711 Martin Luther King. He also asked what is being used to patch the potholes.

Mr. Atkins stated that pea gravel is used.

Alderman Fields stated that he would like to wish Mr. Cleveland Moore a happy 90th birthday.

ALDERMAN FORTENBERY – WARD 5

Alderman Fortenbery stated that the pothole patching machine was a good investment for the city but he would like for us to start a street program to assist in paving the city streets. He added that some of our neighborhood streets are pathetic. He further added that since we are coming into a new budget year, the board needs to discuss putting funds aside take care of the streets.

ALDERMAN DILLARD – WARD 6

Alderman Dillard stated that the money that the county collects and distributes to the city should be used for its intended purpose which is for road and bridge repair.

Alderman Dillard stated that on the front page of the budget report it shows that the city has borrowed \$454,000. He added that the board only allowed the City Clerk to borrow \$375,000.

Alderman Dillard stated that the budget report continues to have several errors. He added that we cannot be expected to make good decisions on the tax payers' monies if they cannot get accurate and reasonable information on the budget reports. He further stated that at some point, we have got to come to terms with this.

ALDERWOMAN ARCENEAUX-MATHIS – WARD 1

Alderwoman Mathis stated that they met with the Opera Festival Committee. She added that it was a very good meeting. She further added that the committee wants to do more projects within the city and over a period of time other than the summer.

Alderwoman Arceneaux-Mathis stated that she went to the inauguration event for Dr. Brown. She added that she has info which she would like to be spread on the minutes.

Alderwoman Arceneaux-Mathis stated that she also attended the service and reception at Dr. Coy's home on 107 South Broadway.

Alderwoman Arceneaux-Mathis stated that she has a proclamation for the Mississippi Homemakers that the mayor needs to sign.

Alderwoman Arceneaux-Mathis discussed her concerns about the hurricane fence that is behind Dairy Queen. She asked that Public Works put that on their to do list and go on Vine Street and Marin Street as soon as they can.

Alderwoman Arceneaux-Mathis stated that they need more carp in the Beverly Hills pond.

Alderwoman Arceneaux-Mathis discussed the need to get the money earmarked for the city streets.

Alderwoman Arceneaux-Mathis made a motion that the city clerk ascertain from other cities our size and with our economy and how they handle to 2009 increase that was given to us, the State of Mississippi in millage and how the library commission handling changes in funding to libraries across the state and how can you legally adjust that mill. Seconded by Alderman Fields. The motion carried unanimously.

The Investiture of Dr. M. Christopher Brown II
18th President of Alcorn State University
April 16, 2011

Why is Natchez important to Alcorn State University? The answer lies in the history of Mississippi and the history of Alcorn State University. Alcorn State University is noted as the nation's first historically Black Land Grant institution. A land-grant college or university is an institution that has been designated by its state legislature or Congress to receive the benefits of the Morrill Act of 1862 and 1890. The original mission of these institutions was to teach agriculture, military tactics and the mechanic arts as well as classical studies so that members of the working classes could obtain a liberal, practical education. Alcorn State University has grown over the decades to include seven schools and degree programs in more than fifty areas including a nationally renowned nursing program (housed in Natchez) and the MBA program also housed in Natchez.

The Honorable Hiram R. Revels resigned his seat in the United States Senate (he was the first United States Black Senator) to become Alcorn's first president. President Revels also began his career in Mississippi in Natchez as an activist, the Minister of Zion Chapel African Methodist Episcopal Church, and Alderman with the City of Natchez during Reconstruction, a member of

the Mississippi Legislature and ultimately a member of the United States Senate from Mississippi.

You, Dr. Brown, are taking the helm of this University at a very challenging and critical time in education in the United States of America and in particular, within the State of Mississippi. However, we are not afraid of challenges in Mississippi. The national dialogue is constantly about the debt we are leaving future generations, and in the same breath that dialogue proposes cuts to the most important tool we could leave future generations to handle this “debt” - EDUCATION.

I believe that the destiny of the city of Natchez is closely tied with the success of Alcorn State University. This University holds the future for many of our brightest and best which we give into your hands for education, mentoring and providing that most important bench mark in the professional life of every citizen - a degree from an accredited university.

Therefore, today I bring greetings from the City of Natchez and best wishes for a long and successful career as President of Alcorn State University. I also pledge the support of the city of Natchez in any avenues you find that we can work together for the benefit of both the university and the City of Natchez. I hope that you look on Natchez as a partner in the continued growth and success of Alcorn State University.

Thank You

ALDERMAN GRAY – WARD 2

Alderman Gray stated that they had their neighborhood watch meeting in the West Steirs Lane area. He added that the residents were requesting that an officer be present at the meeting.

Alderman Gray stated that he is still having problems with cars being parked on the street with no tags. He added that the police chief needs to get with Mr. Nix so that they can determine what are the code enforcers’ responsibilities and the police officers’ responsibilities.

Alderman Gray asked Attorney Sanders can a person that lives in Jackson but has a residence in Natchez run for office in Natchez.

Attorney Sanders stated that he cannot answer that because they are several factors that come into play.

Alderman Gray state that there are citizens expressing the interest in becoming a member of the Preservation Commission.

Alderman Gray stated that Alderwoman Arceneaux-Mathis did an awesome job filling in for Mayor Middleton at the Alcon State University event.

Alderman Gray stated that there is a disability act in the newspaper and the city is going to have to find a way to place money in the budget to address the sidewalks that need to be fixed.

Alderman Gray stated that we need to consider filing lawsuits on the apartment complexes that are not up to code.

Alderman Gray discussed the importance of stopping for the school bus stops.

Alderman Gray stated that Daisy Street will have their reunion on July 2nd. He added that the kudzu and grass in the area needs to be taken care of. He further discussed that they would like a resolution to be done.

Alderman Gray stated to never follow someone if you do not know where they are going.

ALDERMAN POLLARD – WARD 3

No Report

CITY CLERK'S REPORT, DONNIE HOLLOWAY

Mrs. Holland stated that the Springbrook Software is on schedule. She added that the installation will begin on May 11th. She further added that everything should be up and running by October 1st.

CITY ATTORNEY'S REPORT, Everett Sanders

No Report

MAYOR'S REPORT

Mayor Middleton read a resolution authorizing Andrew Smith (Small Town and Rural Communities Planning Associates) and Dale Riser (Beard and Riser Architects) to provide professional services and technical assistance related to the North Natchez Youth Center Improvement Project.

Alderman Gray made a motion to adopt the resolution for the North Natchez Youth Center Improvement Project. Seconded by Alderman Fields. The motion carried unanimously.

Mayor Middleton stated that there will be a workshop held next Wednesday at 4:00pm to discuss the six month budget and where we are.

NEW BUSINESS

No New Business

ADJOURNMENT

A motion was made by Alderman Fields, seconded by Alderman Fortenbery to Adjourn the Regular Meeting of April 26, 2011. The motion carried unanimously.

ATTEST:

**JAKE MIDDLETON
MAYOR**

**DONNIE HOLLOWAY
CITY CLERK**